

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CR 18-2945-WJ

SIRAJ IBN WAHHAJ,
HUJRAH WAHHAJ,
SUBHANAH WAHHAJ, and
LUCAS MORTON,

Defendants.

ORDER GRANTING UNITED STATES' MOTION FOR LAFLER/FRYE HEARING


THIS MATTER is before the Court on the United States' Motion for a *Lafler/Frye* Hearing, which seeks an order directing a United States Magistrate Judge to inquire with the defendants, Siraj Ibn Wahhaj, Hujrah Wahhaj, Subhanah Wahhaj, and Lucas Morton (hereinafter, "Defendants"), and their attorneys, Marc Robert, Thomas Clark, Donald Kochersberger, Marshall Ray, Justine Fox-Young, Ryan Villa, and Joseph Shattuck as stand-by counsel for Lucas Morton, whether defense counsel communicated to Defendants the plea offers extended by the United States in this case. *See* Doc. 619. The Court finds the motion is well taken and should be granted.

IT IS THEREFORE ORDERED that the United States' Motion for a *Lafler/Frye* Hearing is referred to United States Magistrate Judge Laura Fashing to conduct a hearing at which Magistrate Judge Fashing shall inquire on the record whether defense counsel, and stand by counsel for pro se Defendant Lucas Morton, informed the four above-named Defendants of the United States' plea offers and whether Defendants chose to reject the offers with full

awareness of their terms.

IT IS FURTHER ORDERED that Magistrate Judge Fashing shall make the prosecution's proposed plea agreements sealed exhibits at the hearing and verify that Defendants and defense counsel discussed the terms of the plea agreements before rejecting the United States' proposed resolution.

The date and time of the *Lafler/Frye* Hearing shall be determined by Judge Fashing and the hearing set by separate notice.



WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE